134
253

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PART III.

Legislative Measures and Rules thereunder.

No. R. 4342, *dated* 30*th June* 1904.

The Government of His Highness the Maharaja of Mysore are pleased to lay down the following Rules for the grant of Government land for garden cultivation on favourable terms, in lieu of those contained in Appendix I to the Land Revenue Rules of 1890:—

RULES FOR THE GRANT OF GOVERNMENT LAND FOR GARDEN CULTIVATION ON FAVOURABLE TERMS.

Grant of waste land for Dhruvapairu cultivation.

1. Unassessed Government waste land applied for for Dhruvapairu garden cultivation will, where no objection exists to the grant, be given to the applicant, subject to the following rates of assessment, *viz*:—

A.—For Arecanut gardens in the Malnad.

Firstly.—For the first twelve years, including the year of the grant, four annas per acre per annum.

Secondly.—For the 13th, 14th and 15th years at one-fourth, one-half and three-fourths, respectively, *of the rate that may be fixed by the Survey and Settlement Commissioner.*

Thirdly.—The full garden rate, fixed as above, to come into operation from the 16th year.

B. For Arecanut gardens in the Maidan and for all Cocoanut gardens.

Firstly.—For the first nine years, including the year of grant, four annas per acre per annum.

Secondly.—For the 10th, 11th and 12th years, at one-fourth, one-half and three-fourths, respectively, *of the rate that may be fixed by the Survey and Settlement Commissioner.*

Thirdly.—The full garden rate, fixed as above, to come into operation from the 13th year.

Conditions for planting up the lands taken up and consequences of failure to comply with them.

2. Within *seven* years of the date of grant, the land taken up shall be entirely planted up. The grantee shall be bound to plant up not less than *one-third* of the entire area *at the end of the 3rd year of grant, two-thirds at the end of the 5th year, and bring the whole area under garden cultivation at the end of the 7th year.* Failure to comply with these conditions as to planting shall render the entire land liable to full garden rate fixed in the manner aforesaid.

The grantee who fails to plant up the entire area of the grant within the prescribed time, will, however, be allowed to resign any portion of the grant in compact blocks of not less than *two acres each in the case of cocoanut gardens and one acre each in the case of arecanut gardens.* Provided that should the grantee relinquish the land either in whole or in part for any reason whatever within *seven* years from the date of the grant, he shall, *in the discretion of the Deputy Commissioner*, be liable to pay a fine *not exceeding* the estimated value of the trees, if any, standing on the land at the time of grant but removed by the grantee during his occupation. Such estimated value shall always be entered in every "Kaul" granted under these rules.

Minimum area to be granted.

3. No concession shall be granted under these rules for small and insignificant bits of land in Maidan Taluks, in spots such as feeders of tanks, tank beds, *vonis*, and such like, which are purposely excluded from agricultural lands at the Survey. The minimum area to be granted shall, in the Maidan Taluks, be *one* acre and in the Malnad Taluks *twenty* guntas.

When the above garden assessment is liable to revision.

4. The garden rate of assessment referred to in the preceding rules shall not be liable to revision otherwise than at a general revision of land revenue assessment throughout the taluk.

5. *Grants* under these rules shall be in the appended form.

Applications for lands to be made to the Amildar and the steps he shall take.

6. Applications for lands under these rules shall be made in writing to the Amildar, who shall make such enquiry as may be necessary, and submit the application to the Deputy Commissioner for orders with as little delay as possible.

When the Deputy Commissioner may grant partial temporary remission of the existing garden assessment.

7. In the case of arecanut and cocoanut gardens assessed at garden rates which have, from any cause whatsoever, remained unoccupied for more than three years preceding *the date of application for the land*, the Deputy Commissioner may, in his discretion, grant such partial temporary remission of the existing garden assessment as may appear to him to be reasonable with reference to the present condition of the gardens, but not so as to exceed one-half of the term of favourable assessment allowable under Rule 1.

Conditions on which these abandoned gardens are given on Shraya and the penalties to be attached to breach of such conditions shall be specified in each grant.

Orders of Government necessary for more liberal concession.

8. Cases falling under Rule 7 above, which, in the opinion of the Deputy Commissioner, may require more liberal concessions than are authorised by that rule, shall be specially reported for the orders of Government through the Survey and Settlement *and Revenue Commissioners.*

When revised grants shall issue.

9. Where delay is apprehended in fixing the garden rate referred to in Rule 1, the Deputy Commissioner shall grant the lands applied for, reserving expressly for future decision the rate of garden assessment to be fixed. In such a case the rate of garden assessment shall be fixed and duly entered in revised grants to be issued as early as possible in substitution of those already issued.

FORM OF GRANT.

Title-deed granted by the Deputy Commissioner of the.....District to .....
son of.....residing in the village of.....in the.....Taluk.

Under the Rules framed in this behalf, the land described below is granted to you for .....on the following terms:—

Taluk.	Village.	Survey No. of the field.	Area in acres.	Whether the land is assessed or unassessed Government waste.	If the land is already assessed.		Remarks.
					Whether dry, wet or garden.	Present assessment.	

(I) The terms of assessment payable by you for the above land will be as follows :—

	Rate of assessment per acre per annum.	Total annual assessment.
(*a*) For the first 12 years, *i. e.*, from 19 to 19 (both years inclusive).	At 4 annas.	
For the 13th year, *i. e.*, 19	¼ of the full garden rate, *i. e.*	
For the 14th year, *i. e.*, 19	½ of do *i. e.*	
For the 15th year, *i. e.*, 19	¾ of do *i. e.*	
From and after the 16th year, *i. e.*, 19 ...	Full garden rate, *viz.*	
(*b*) For the first nine years, *i. e.*, from 19 to 19 (both years inclusive).	At 4 annas.	
For the 10th year, *i. e.*, 19	¼ of the full garden rate, *i. e.*	
For the 11th year, *i. e.*, 19	½ of do *i. e.*	
For the 12th year, *i. e.*, 19	¾ of do *i. e.*	
From and after the 13th year, *i. e.*, 19 ...	Full garden rate, *viz.*	

Note.—

(*a*) To be inserted when the grant is for arecanut garden in the Malnad.

(*b*) To be inserted when the grant is for arecanut gardens in the Maidan and for all cocoanut gardens.

(II) You shall be bound to plant up not less than one-third of the entire area granted to you, at the end of the 3rd year, *viz.*, 19 , two-thirds at the end of the 5th year, *viz.*, 19 , and bring the whole area under garden cultivation at the end of the 7th year, *viz.*, 19 : and failure to comply with these conditions shall render the land liable to the full garden rate of assessment, *viz.*, Rs. , from the 8th year, *viz.*, 19 .

(III) Although you fail to plant up the entire area within the prescribed time, you will, however, be allowed to resign any portion of the grant in compact blocks of $\frac{\text{2 acres each } (a)}{\text{1 acre each } (b)}$.

Provided that should you relinquish the land either in whole or in part for any reason whatsoever within seven years from this date, you shall, in the discretion of the Deputy Commissioner, be liable to pay a fine not exceeding the estimated value of the trees, if any, now standing on the land, but removed by you during your occupation, *viz.*, Rs. , which will be recovered as an arrear of land revenue.

Note.—(*a*) to be inserted in the case of cocoanut, and
(*b*) in the case of arecanut gardens.

(IV) The garden rate of assessment fixed as above shall not be liable to revision otherwise than at a general revision of land revenue assessment throughout the taluk.

(V) The annual assessment payable by you under clause (I), *supra*, shall be recovered in instalments as laid down in Rules 86 and 87, Chapter XIV of the Rules under the Land Revenue Code, issued under Notification No. 264—R. 122 of the 10th July 1901.

Given under my hand and seal this..... day of..... 19

Deputy Commissioner,

.....District.

By Order,

B. K. VENKATAVARADAIYENGAR,
Secy. to Govt., Gen. & Rev. Depts.